

**RESOLUTION NO. CZAB5-5-03**

**WHEREAS, GENET FAMILY LTD. PARTNERSHIPS NO. 1 & 2** had applied to

Community Zoning Appeals Board 5 for the following:

AU to RU-3M

**SUBJECT PROPERTY:** Tract 16, less the right-of-way for State Road 93 (I-75), together with portions of Tracts 1, 2, 3, 4 & 5, FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION NO. 1, in Section 9, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

Commence at the Northeast corner of said Section 9; thence run S2°38' 18"E, along the east line of said Section 9, for 1,571.76' ; thence S89°35' 0"W, along a line parallel with and 254.81' south of, as measured at right angles to, the south line of said Tract 4, for 886.43' , to the Point of beginning of the following described parcel: thence continue S89°35' 0"W, along the last mentioned course, for 433.85' ; thence N2°38' 8"W, along the west line of said Tract 5, 4, 3 & 2, for 1,243.2' ; thence S89°36' 38"W, along the south line of said Tract 16, for 352.93' , to a point on a curve, said point bears N38°37' 32"W, from the radius point of said curve; thence NE/ly, along a circular curve to the right, having a radius of 550' and a central angle of 23°12' 11", for an arc distance of 222.73' , to a point on said curve, said point bears N15°25' 21"W, from the radius point of the last described curve; thence N89°37' 11"E, along the right-of-way line of State Road 93 (I-75), for 585.11' ; thence S2°38' 18"E, along a line parallel with and 885.76' west of, as measured at right angles to, the east line of said Section 9, for 1,342.14' , to the Point of beginning. Bearings mentioned herein relate to an assumed bearing of N2°38' 18"W along the east line of Section 9.

**LOCATION:** South of theoretical N.W. 186 Street & approximately 900' ± west of N.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 5 that the requested district boundary change to RU-3M would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied without prejudice and said application was denied by Resolution No. CZAB5-7-02, and

WHEREAS, GENET FAMILY LTD. PARTNERSHIPS NO. 1 & 2 had appealed the decision of Community Zoning Appeals Board 5 to the Board of County Commissioners, for the following:

AU to RU-3M

SUBJECT PROPERTY: Tract 16, less the right-of-way for State Road 93 (I-75), together with portions of Tracts 1, 2, 3, 4 & 5, FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION NO. 1, in Section 9, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

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LOCATION: South of theoretical N.W. 186 Street & approximately 900' ± west of N.W. 87 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 14 and after having given an opportunity for interested parties to be heard, it is the opinion of this Board to vacate resolution CZAB5-7-02 and to remand the application back

to Community Appeals Board 5 for further consideration with leave to amend, and said application was remanded by Resolution Z-2-03, and

**WHEREAS, CENTURY PRESTIGE I, LLC F/K/A: GENET FAMILY LTD.**

**PARTNERSHIPS #1 & #2** applied for the following:

AU to RU-1M(a)

SUBJECT PROPERTY: Tract 16, less the right-of-way for State Road 93 (I-75), together with portions of Tracts 1, 2, 3, 4 & 5, FLORIDA FRUIT LANDS COMPANY' S SUBDIVISION NO. 1, in Section 9, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows:

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LOCATION: South of theoretical N.W. 186 Street & approximately 900' west of N.W. 87 Avenue, Miami-Dade County, Florida, and

**WHEREAS,** a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

**1. Density Restriction.**

The maximum number of dwelling units on the Property shall not exceed seventy-three (73) single-family dwelling units.

2. **ASPR Approval of Site Development Plans and Lake Excavation(s).**

As a condition precedent to requesting plat approval for the Property, the Owner shall submit a site plan to the Department of Planning and Zoning. The Department shall review said site plan to assure that the design and construction of the project is consistent with the Miami-Dade County Urban Design Manual and guidelines for urban form, as required by the Comprehensive Development Master Plan. The plat for the Property shall not be approved until the Owner obtains the Department's approval of a site plan. In addition, the approved site plan shall include any lake excavation(s) proposed on the Property; said lake excavations shall comply with the provisions of Sec. 33-16 of the Miami-Dade County Code.

3. **Urban Design Elements.** Each residential dwelling unit within the Property shall incorporate at least two (2) of the following urban design elements:

- (a) Front Porch with a minimum depth of 7'
- (b) Recessed Garage - a minimum of 30' from the front property line
- (c) Detached Garage
- (d) Vertically proportioned fenestration
- (e) Loggia or Balcony
- (f) Shutters
- (g) Courtyard or Atrium - Minimum area of 150 s.f.

This provision is intended to encourage a variety of housing types and facades throughout the community. As such, no one combination of urban design elements may be incorporated into more than thirty percent (30%) of the total number of units permitted on the Property. The combination of urban design elements may be selected by the owner(s) of the respective dwelling units at the time of purchase, or may be predetermined by the Owners.

4. **Garage Conversions Prohibited.** The conversion of any garage space in the proposed single-family homes into living quarters shall be prohibited.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to RU-1M(a) would

be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Paul O' Dell, seconded by Roberto P. Serrano, and upon a poll of the members present the vote was as follows:

Sharon Franklin	aye	Leonardo A. Perez	aye
Juan A. Garcia	aye	Paul O' Dell	aye
Archie E. McKay	absent	Roberto P. Serrano	aye
Jorge I. Bonsenor		aye	

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 5, that the requested district boundary change to RU-1M(a) be and the same is hereby approved and said property is hereby zoned accordingly.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 15<sup>th</sup> day of May, 2003.

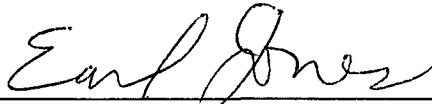
Hearing No. 02-12-CZ5-1  
ej

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

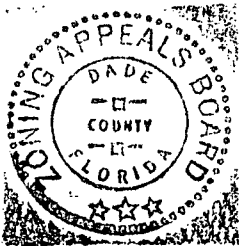
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board CZAB# 5, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB5-5-03 adopted by said Community Zoning Appeals Board at its meeting held on the 15<sup>th</sup> day of May, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 6<sup>th</sup> day of June, 2003.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**





DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210  
MIAMI, FLORIDA 33128  
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street  
MIAMI, FLORIDA 33175

- IMPACT FEE SECTION  
(786) 315-2670 • SUITE 145
- ZONING INSPECTION SECTION  
(786) 315-2660 • SUITE 223
- ZONING PERMIT SECTION  
(786) 315-2666 • SUITE 106
- ZONING PLANS PROCESSING SECTION  
(786) 315-2650 • SUITE 113

June 9, 2003

Genet Family Ltd. Partnerships No. 1 & 2  
Juan Mayol  
Suntrust International Center  
One Southeast Third Avenue 28th Fl.  
Miami, FL 33131-1714

Re: Hearing No. 02-12-CZ5-1  
Location: South of theoretical N.W. 186 Street & approximately 900' ± west  
of N.W. 87 Avenue, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. CZAB5-5-03, adopted by the Miami-Dade County Community Zoning Appeals Board 5, which accepted your Declaration of Restrictions and which approved your district boundary change to RU-3M and approved the balance of your application on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required.

Once the use has been established, failure to maintain compliance with any of the required conditions will result in the immediate issuance of a civil violation notice for each condition violated. Each ticket issued will require payment of a daily monetary fine in the amount of \$500.00.

If there are any anticipated changes from the plan submitted for the hearing, a plot use plan should be submitted to this department in triplicate before any detailed plans are prepared, inasmuch as building permits will not be issued prior to the approval of said plan.

Application for necessary permits and /or Certificate of Use and Occupancy permits should be made with this Department, or the Building Department as appropriate. At time of permit application you must provide a copy of this resolution.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosures